

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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STEVEN L. DIXON,

Petitioner,

v.

WILLIAM REUBART, et. al,

Respondents.

Case No. 3:22-cv-00183-ART-CLB

ORDER

Petitioner, Steven L. Dixon is a pro se Nevada prisoner seeking post-conviction relief from a fourth-degree arson conviction in the Nevada's Sixth Judicial District Court, in and for Humboldt County.

Dixon has asked to proceed *in forma pauperis* ("IFP") but his application is incomplete. Pursuant to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an IFP application on the approved form and includes three specific documents: (a) the prisoner's financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized

1 prison official, and (c) a copy of the prisoner's account statement for the six-
 2 month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2.

3 Petitioner will have 60 days from the date of this order to either pay the \$5
 4 filing fee or submit a complete IFP application with all required documentation.

5 The screening of Petitioner's Petition for Writ of Habeas Corpus and his
 6 motion for counsel will be deferred until he has complied with this order. Any
 7 amendments to the petition should be filed using the form petition for writ of
 8 habeas corpus filed by a person who is not represented by counsel. LSR 3-1,
 9 Local Rules of Practice, U.S. District Court of Nevada, a copy of which will be
 10 provided.

11 **IT IS THEREFORE ORDERED:**

- 12 1. The initial screening of Petitioner's Petition for Writ of Habeas Corpus
 13 (ECF No. 1-1) under the Rules Governing Section 2254 Cases and
 14 consideration of Petitioner's Motion for Counsel (ECF No. 1-2) are
 15 deferred to until such time as he has fully complied with this order.
- 16 2. The Clerk of Court shall send petitioner two copies each of an
 17 application form to proceed *in forma pauperis* for incarcerated persons
 18 and a noncapital Section 2254 habeas petition form, one copy of the
 19 instructions for each form, and a copy of the papers that he submitted
 20 in this action.
- 21 3. **Within 60 days of the date of this order**, Petitioner must file an IFP
 22 application that includes a: (a) financial certificate signed by Petitioner
 23 and an authorized prison official, (b) financial declaration and
 24 acknowledgement signed by Petitioner, and (c) copy of Petitioner's
 25 inmate account statement for the six-month period prior to filing.
 26 Alternatively, Petitioner must pay the \$5 filing fee within 60 days. If
 27 Petitioner decides to pay the filing fee from his inmate account, he must
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1 arrange to have a copy of this order attached to the check for the filing
2 fee.

- 3 4. Petitioner's failure to comply with this order within 60 days by (a)
4 submitting a complete IFP application, or (b) paying the filing fee will
5 result in the dismissal of this action without prejudice and without
6 further advance notice.

7 DATED: May 17, 2022

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10 ANNE R. TRAUM
11 UNITED STATES DISTRICT JUDGE
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